

to an electronic sound-generating member selected from the group consisting of a compact disc player, a telephone, and a radio receiver.

#### REMARKS

Claim 1 has been amended to recite the limitation that the earmold is "molded to conform to and frictionally fit in a person's ear." In addition, claim 1 has been amended to change "the electronic sound generating member" to "an electronic sound-generating member selected from the group consisting of a compact disc player, a telephone, and a radio receiver." These amendments are supported in the original specification and drawings, specifically at page 3, lines 6-7 and in Figures 1, 2, and 4 of the drawings and at page 5, line 1-2, respectively.

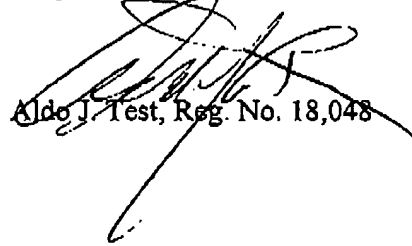
The Examiner rejects claims 1-4 and 14-15 under 35 U.S.C. §103(a) as being unpatentable over G.W. French (U.S. Patent No. 2,573,132), in view of Antle (U.S. Patent No. 4,499,593) and also claims 5-10 and 12-13 in further view of Schlaegel et al and claims 5 and 11 in further view of Major. Applicant traverses these rejections on the basis that the cited prior art does not constitute a *prima facie* case for obviousness with respect to amended claim 1. A proper *prima facie* case for obviousness requires some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine the referenced teachings to produce the claimed invention. Neither French '132 nor Antle disclose "an earmold molded to conform to and frictionally fit in a person's ear" as recited in amended claim 1. Furthermore, French '132, Schlaegel et al, and Major are all directed to hearing aid devices. Antle does disclose an audio headphone apparatus. However, it is of the type that fits over the outside of the ears. No motivation is provided by French '132, Antle, or even by Major or Schlaegel, that would have directed one of ordinary skill in the art at the time the invention was made to employ an ear-conforming earmold for use with a radio, CD player, or telephone system as recited in amended claim 1. As such, Applicant respectfully submits that amended claim 1 is in condition for allowance.

Claims 2-15 all depend on claim 1 and therefore incorporate the limitations added by the aforementioned amendments. As such, Applicant submits that these dependent claims are also patentable over French '132 in view of Antle as well as over French '132 in view of Antle et al and in further view of either Major or Schlaegel.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

The Commissioner is hereby authorized to charge any fees associated with this communication to our Deposit Account No. 502319 (Order No. A-68724/AJT).

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Amend the claims as follows. All pending claims are listed below, whether amended or not, for the Examiner's convenience.

1. (amended) An electro-acoustic system for use with electronic sound-generating equipment, comprising:

[a fitted] an earmold molded to conform to and frictionally fit in a person's ear having a sound-conduction bore extending therethrough;

a sound-conducting tube having a passage with one end of the tubing connected to the earmold so that the passage is opposite the sound-conduction bore and, a curved portion adapted to extend along [a] the person's head between the person's head and [an] ear;

a speaker acoustically coupled to the other end of the sound-conduction tube for conducting sound into the passage;

an electrical cable having one end connected to the speaker for driving the speaker; and

an electrical plug connected to another end of the electrical cable for electrical connection to [the] an electronic sound-generating member selected from the group consisting of a compact disc player, a telephone, and a radio receiver.

2. (unchanged) An electro-acoustic system as in claim 1, in which the speaker is acoustically coupled to the other end of the sound conduction tube by a housing, said housing snugly engaging said sound conduction tube and said electrical cable.

3. (unchanged) An electro-acoustic system as in claim 1, where a connector has an inner end including a passage connected to the sound-conduction bore, and an outer end connected to the one end of the sound-conduction tube for conducting sound from the sound-conduction tube to the sound-conduction bore.

4. (unchanged) An electro-acoustic system as in claim 3, wherein the sound-conduction bore has an entry section and an exit section.

5. (unchanged) An electro-acoustic system as in claim 4, wherein a seating member is disposed in the entry section.

6. (unchanged) An electro-acoustic system as in claim 5, wherein the connector has an elbow configuration and includes a tubing-receiving section, a latching section and a sound-conduction tubular passage extending from the tubing-receiving section to an outer end of the latching section, the latching section mating with the seating member to latchably secure the connector in the entry section of the sound-conduction bore.

7. (unchanged) An electro-acoustic system as in claim 6, wherein the tubing-receiving section has a diameter to receive the other end of the sound-conduction tubing.

8. (unchanged) An electro-acoustic system as in claim 6, wherein an internal diameter of the sound-conduction tubing, the diameter of the sound-conduction tubular passage, and the diameter of the exit section of the sound-conduction bore are the same therealong.

9. (unchanged) An electro-acoustic system as in claim 7, wherein a filter is disposed in the tubing-receiving section adjacent the other end of the sound-conduction tubing.

10. (unchanged) An electro-acoustic system as in claim 9, wherein the tubing-receiving section has a shoulder against which the filter engages.

11. (unchanged) An electro-acoustic system as in claim 5, wherein the seating member has an annular section disposed in the entry section and an annular shoulder disposed against the earmold.

12. (unchanged) An electro-acoustic system as in claim 6, wherein the latching section has an annular recess, and an annular barb located in the annular recess for engaging the inner surface of the seating member.

13. (unchanged) An electro-acoustic system as in claim 6, wherein a space is provided in the entry section between an inner end of the seating member and an inner surface of the entry section, and a nubbin of the latching section is disposed within the space.

14. (unchanged) An electro-acoustic system as in claim 1, wherein the electrical cable has a coiled section.

15. (unchanged) An electro-acoustic system as in claim 1, wherein the electrical cable has an electrical connector attached thereto.